



**UNITED STATES PROBATION & PRETRIAL SERVICES  
District of New Hampshire**

**MEMORANDUM**

**DATE:** April 15, 2013

**TO:** Honorable Paul J. Barbadoro  
U.S. District Judge

**FROM:** Jodi Gauvin *JG*  
U.S. Probation Officer

**RE:** Tosatti Padmore (12-CR-61-01-PB)

**Response to Defendant's Motion to Enter TC Program**

Reference is made to the defendant's request, filed on April 12, 2013, for a judicial recommendation for his participation in the Therapeutic Community (TC) program at Strafford County (NH) House of Corrections.

The probation officer respectfully recommends that the Court deny the defendant's request at this time for two reasons. First and foremost, Padmore is likely to receive a significant sentence in the Bureau of Prisons (BOP). This is based on the advisory guideline range (whether calculated by the probation officer or pursuant to parties' stipulation) and the fact that he is also subject to a five-year consecutive term of imprisonment for his conviction under 18 U.S.C. § 924(c). The defendant, therefore, will have more than sufficient time to participate in the intensive drug education and treatment program while in BOP. Secondly, since Padmore has not yet begun the TC program, his participation in the same would undoubtedly require a postponement of the sentencing date currently set for May 21, 2013 since the program takes approximately 90 days to complete.

For these reasons, the probation officer opines that it is not prudent for the Court to make such a judicial recommendation since it will serve to place Padmore ahead of others on the waiting list who may not be subject to such a lengthy prison term and would be better served by the residential treatment prior to release to the community much sooner.

As always, the probation officer is available at the Court's convenience should there be any questions or the need for additional information.